

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 2, 1980
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:48 p.m. The meeting was recessed by Deputy Mayor Lowery at 9:43 p.m. The meeting was reconvened by Deputy Mayor Lowery at 10:05 a.m. with Councilmembers Mitchell, Williams, Stirling, and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Lowery at 10:13 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened at 2:20 p.m. with Councilmembers Mitchell, Cleator, Schnaubelt and Stirling not present. The meeting was recessed by Mayor Wilson at 2:26 p.m. to meet in executive session in the eleventh floor conference room on pending litigation. The meeting was reconvened by Deputy Mayor Lowery at 3:05 p.m. with Mayor Wilson and Councilmember Stirling not present. The meeting was adjourned at 3:52 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Lowery-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Stirling-excused by R-252666 (for vacation).

(8) Councilmember Killea-present.

Clerk-Mutascio (bb,eb)

Sep-2-1980 ITEM-1:

FILE: Minutes File

DESCRIPTION:

Assistant City Clerk Mutascio called the roll:

Mayor Wilson-present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Lowery-not present.

Councilmember Williams-present.

Councilmember Schnaubelt-present.

Councilmember Gotch-present.

Councilmember Stirling-not present.
Councilmember Killea-present.

Sep-2-1980 ITEM-10:

FILE: Minutes File

DESCRIPTION:

Invocation was given by Reverend Larry McConnell.

Sep-2-1980 ITEM-20:

FILE: Minutes File

DESCRIPTION:

Pledge of Allegiance was led by Councilmember Gotch.

Sep-2-1980 ITEM-30:

FILE: MEET

DESCRIPTION:

(R-81-334) A Resolution adopted by the City Council in EXECUTIVE SESSION on Tuesday, July 29, 1980 by the following vote: Mitchell-yea, Cleator-yea, Lowery-yea, Williams-not present, Schnaubelt-not present, Gotch-yea, Stirling-yea, Killea-yea, Wilson-yea.

Authorizing the CITY MANAGER to PAY the total sum of \$15,000 in the settlement of Fourth Appellate District Case No. 4th Civil No. 22380, HEYENGA and PULSIPHER v. CITY OF SAN DIEGO, et al, to Attorney Gregory Petersen for attorney's fees; authorizing the CITY AUDITOR AND COMPTROLLER to ISSUE a WARRANT CHECK in the amount of \$15,000 made payable to Gregory Petersen, in full settlement of the lawsuit.

COUNCIL ACTION: (Tape location: A058-071).

Adopted as R-252585.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-ye

Sep-2-1980 ITEM-31:

FILE: Minutes File

DESCRIPTION:

Approval of the Council Minutes for the Meetings of:

07/21/80 P.M.

07/22/80 A.M. and P.M.

07/22/80 A.M. Special Meeting

07/28/80 P.M.

07/29/80 A.M. and P.M.

08/04/80 P.M.

08/05/80 A.M. and P.M.

COUNCIL ACTION: (Tape location: A071-080).

Approved.

MOTION BY GOTCH TO APPROVE. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-100:

FILE: MEET

DESCRIPTION:

Four Resolutions relative to AWARDING CONTRACTS:

Subitem-A: (R-81-256)

San Diego Landscape Maintenance Co. for furnishing TREE TRIMMING SERVICE on approximately 45,977 BROADLEAF TREES as may be required for a period of ten months beginning September 1, 1980 through June 30, 1981 for a total estimated cost including tax and terms of \$200,000.

Subitem-B: (R-81-258)

Air & Hydraulic Equipment Co. for furnishing EMERGENCY REPAIR SERVICE FOR 9 PROGRESSIVE CAVITY SLUDGE PUMPS as may be required for a one-year period ending September 30, 1981 for an estimated cost including terms of \$59,812.50.

Subitem-C: (R-81-253)

For furnishing OFFICE FURNITURE as may be required for a one-year period ending September 30, 1981: 1) McMahan Desk of San Diego, Inc. for SECTION I - Desks & Tables; SECTION II - Vertical Files, Bookcases, Console Files and Storage Cabinets; SECTION III - Chairs; and SECTION IV - Executive Furnishings for the following brands: Alma, EPP, Norman Bates, Office Suites, Benedetti, Lehigh- Leopold and Beelner & Thomas; 2) Raymond Allyn Business Supplies, Inc. for SECTION IV - Executive Furnishings for the following brands: Taylor, Condi, Golden Oak, Wesley Freeman, Eastern Cabinet, KT Furniture, Modular Design, Boling, Anderson; 3) Fischer Office Interiors for SECTION IV Executive Furnishing for the following brands: Costa Mesa, Hiebert, Modern Mode, Steelcase, Steelcase Paneling, Gunlocke, Johnson; and 4) San Diego Office Supply for SECTION IV - Executive Furnishings for the Kimball brand, for an estimated cost including tax and terms of \$31,626.05.

Subitem-D: (R-81-255)

Moore Business Forms for the purchase of PRINTED UTILITY BILL for a total cost including tax and terms of \$15,442.08.

COUNCIL ACTION: (Tape location: A105-143).

Subitem-A adopted as Resolution R-252586.

Subitem-B adopted as Resolution R-252587.

Subitem-C adopted as Resolution R-252588.

Subitem-D adopted as Resolution R-252589.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-102:

FILE: CONT A-00121

DESCRIPTION:

(R-81-257) INVITING BIDS for FENCING VARIOUS CHANNELS in the LAS CHOLLAS FLOOD

BASIN - PHASE II on Specifications Document No. A-00121; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$97,000 from FUND 18515, DEPT. 5970, ORG.

7001 (contingencies) to FUND 18516, DEPT. 5965, ORG. 6510 (Fencing of Various Channels in the Las Chollas Flood Basin Phase II); authorizing the EXPENDITURE not to exceed \$97,000 from FUND 18516, and \$3,000 from CIP-58-007, FUND 30245 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves. (DISTRICT-3, DISTRICT-4 and DISTRICT-7)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252591.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-103:

FILE:

Subitems A & B, SUBD Clairemont-Kemper Condos

Subitem-C, DEED

F-

DESCRIPTION:

Three Resolutions relative to the FINAL SUBDIVISION MAP of CLAIREMONT-KEMPER CONDOS, a six-lot subdivision located southwesterly of Clairemont Drive and Ute Drive: (DISTRICT-6)

Subitem-A: (R-81-371)

Authorizing the execution of an AGREEMENT with Bayclaire Development Corp. for the installation and completion of improvements.

Subitem-B: (R-81-370)

Approving the FINAL MAP and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the affirmative marketing program.

Subitem-C: (R-81-333)

Authorizing the execution of a QUITCLAIM DEED, quitclaiming to Bayclaire Development Corporation, all the City's right, title and interest in the drain easement.

COUNCIL ACTION: (Tape location: A105-143).

Subitem-A adopted as Resolution R-252592.

Subitem-B adopted as Resolution R-252593.

Subitem-C adopted as Resolution R-252594.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-104:

FILE: SUBD Sycamore Arms I

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of SYCAMORE ARMS I, a one-lot subdivision located westerly of Sycamore Road and Sunrise Drive: (DISTRICT-8)

Subitem-A: (R-81-373)

Authorizing the execution of an AGREEMENT with Pacific Shores Developers for the installation and completion of improvements.

Subitem-B: (R-81-372)

Approving the FINAL MAP and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the affirmative marketing program.

COUNCIL ACTION: (Tape location: A105-143).

Subitem-A adopted as Resolution R-252595.

Subitem-B adopted as Resolution R-252596.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-105:

FILE: SUBD University Village No. 12

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of UNIVERSITY VILLAGE

NO. 12, a 15-lot subdivision located northerly of Cather Avenue and Florey

Street: (DISTRICT-1)

Subitem-A: (R-81-327)

Authorizing the execution of an AGREEMENT with Genstar Development, Inc. for the installation and completion of improvements.

Subitem-B: (R-81-326)

APPROVING THE FINAL MAP.

COUNCIL ACTION: (Tape location: A105-143).

Subitem-A adopted as Resolution R-252597.

Subitem-B adopted as Resolution R-252598.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-106:

FILE: STRT K-00107

DESCRIPTION:

(R-81-300) DESIGNATING September 1, 1980 as the date upon which all property in the COLUMBIA/MARINA (between Kettner Boulevard and Union Street, 6th Street and Broadway) UNDERGROUND UTILITY DISTRICT must be ready to receive underground service and November 1, 1980 as the date for the removal of all overhead utility facilities. (DISTRICT-8)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252599.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-107:

FILE: DEED F-270

DESCRIPTION:

(R-81-277) Authorizing the execution of QUITCLAIM DEEDS, quitclaiming to D.N. Harman and Daniel O'Malley, slope easements affecting LOTS 11, 12, 13 and 14 of BLOCK 70 MORENA. (DISTRICT-6)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252600.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-108:

FILE: DEED F-271

DESCRIPTION:

(R-81-338) Approving the acceptance by the CITY MANAGER of STREET EASEMENT DEED of James A. and Martha B. Brown, conveying to City the permanent easement and right-of-way for a public street and incidents thereto, over, under, upon, along and across a portion of LOT 15 of the BEVERLY SUBDIVISION, MAP-1129; dedicating said land as and for a public street and naming the same 51ST STREET. (DISTRICT-4)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252601.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-109:

FILE: LEAS United Nations Association of San Diego

DESCRIPTION:

(R-81-363) Authorizing the execution of a LEASE AGREEMENT with United Nations Association of San Diego for BALBOA PARK BUILDING NO. 644 for a term of five years, at an initial monthly rental of \$158.33. (DISTRICT-8)

NOTE: See City Manager Report CMR-80-465.

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252602.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 * ITEM-110:

FILE: MEET

DESCRIPTION:

(R-81-341) Authorizing the execution of an AGREEMENT with the San Diego and Arizona Eastern Railway Company to perform certain work involved in the IMPROVEMENT of IMPERIAL AVENUE from 32nd Street to Wabash Boulevard; authorizing the EXPENDITURE not to exceed \$11,976 from FUND 30245 (CIP-52-022.6) for said purpose. (DISTRICT-4)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252603.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

* ITEM-111:

FILE: MEET

DESCRIPTION:

(R-81-262) Authorizing the execution of a FIRST AMENDMENT to AGREEMENT with Garrett Eckbo & Associates for the DESIGN of BLACK'S BEACH ACCESS TRAIL; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$38,700 from CIP-27-009.1, CHILDREN'S POOL WALL RECONSTRUCTION to CIP-23-717 BLACK'S

BEACH ACCESS TRAIL; authorizing the EXPENDITURE of \$61,000 from CIP-23-717 BLACK'S BEACH ACCESS TRAIL for said purpose. (DISTRICT-1)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252604.

MOTION BY STIRLING TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present

* ITEM-112:

FILE: MEET

DESCRIPTION:

(R-81-335) Authorizing the execution of a FIRST AMENDMENT to an AGREEMENT with Wimmer Yamada and Associates for the purpose of INCREASING the SCOPE OF WORK of the existing agreement for additional services required by the increase in the proposed FY 81 construction budget for LAKE MURRAY COMMUNITY PARK; authorizing the EXPENDITURE of \$8,000 from CIP-23-404, LAKE MURRAY COMMUNITY PARK DEVELOPMENT, PHASE I, CAPITAL OUTLAY FUND 30245 for the above purpose. (DISTRICT-7)

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252605.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 ITEM-200:

FILE: CONT A-00122

DESCRIPTION:

(R-81-172) INVITING BIDS for IMPROVEMENT OF BEYER BOULEVARD (at intersection with Smythe Avenue); SMYTHE AVENUE (Beyer Boulevard to Highway 117); and PICADOR BOULEVARD (Highway 117 to Del Sol Boulevard), on Specifications Document No. A-00122; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$985,000 from CAPITAL OUTLAY FUND 30245 and \$547,500 from GAS TAX FUND 30219 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves. (DISTRICT-8)

COUNCIL ACTION: (Tape location: B104-111).

Adopted as R-252606.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Sep-2-1980 ITEM-201:

FILE: CONT A-00123

DESCRIPTION:

(R-81-219) INVITING BIDS for RESURFACING VARIOUS CITY STREETS, GROUP Q, on Specifications Document No. A-00123; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$2,000,000 from the GENERAL FUND 100 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

COUNCIL ACTION: (Tape location: B111-120).

Adopted as R-252607.

MOTION BY STIRLING TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present

Sep-2-1980 ITEM-202:

FILE: CONT A-00124

DESCRIPTION:

Two Resolutions relative to CLEANING OF DIGESTER C-2-S AND ONE PRIMARY DIGESTER AT POINT LOMA WASTEWATER TREATMENT PLANT: (DISTRICT-2)

Subitem-A: (R-81-345)

INVITING BIDS on Specifications Document No. A-00124; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$700,000 from the SEWER REVENUE FUND for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-81-346)

Authorizing the use of CITY FORCES to do all the work to provide support services and field inspection, as required in connection with the above work; declaring that the cost of said work shall not exceed \$67,500.

COUNCIL ACTION: (Tape location: B120-126).

Subitem-A adopted as R-252608.

Subitem-B adopted as R-252609.

MOTION BY KILLEA TO ADOPT. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Sep-2-1980 ITEM-203:

FILE: -

DESCRIPTION:

(R-81-116) (Continued from the Meetings of June 30, July 7, 14 and 28, and August 11, 1980 at Councilwoman Killea's request.) Authorizing the CITY AUDITOR AND COMPTROLLER to MAINTAIN and ADD CIP NO. 21-110, BALBOA PARK/NURSERY RELOCATION to the Fiscal Year 1980 CAPITAL IMPROVEMENTS PROGRAM;

authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$40,000 from CIP Project No. 90-245, CAPITAL OUTLAY FUND UNALLOCATED RESERVE to CIP-21-110 BALBOA PARK MAINTENANCE AND NURSERY YARD RELOCATION; authorizing

the

execution of an AGREEMENT with Berryman and Stephenson, Inc. for the BALBOA PARK MAINTENANCE AND NURSERY YARD RELOCATION; authorizing the EXPENDITURE of

\$40,000 from the CAPITAL OUTLAY FUND 30245, CIP-21-110 BALBOA PARK MAINTENANCE

AND NURSERY YARD RELOCATION for said purpose. (DISTRICT-8)

COUNCIL ACTION: (Tape location: A080-105).

Returned to City Manager's Office.

MOTION BY GOTCH TO RETURN ITEM TO CITY MANAGER'S OFFICE AT CITY MANAGER'S

REQUEST. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 ITEM-204:

FILE: MEET

DESCRIPTION:

(R-81-406) Matter of a RESOLUTION pursuant to the authority of Section 3508 of the California Government Code concerning LAW ENFORCEMENT OFFICERS' REPRESENTATION by employee organizations composed solely of law enforcement employees.

COUNCIL ACTION: (Tape location: C010).

Adopted as R-252614.

MOTION BY WILLIAMS TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 ITEM-330:

FILE: PERM CUP-10-607-0

DESCRIPTION:

APPEAL of WILLIAM CISCO and PERRY TROUT, from the decision of the PLANNING COMMISSION in DENYING an application for a CONDITIONAL USE PERMIT to construct and operate a senior citizens housing complex consisting of 15 studio units and a two story building with parking and landscaping on .16 acres in the R-4 ZONE. The subject property is located on the south side of Boston Avenue between 29th and 30th Streets, in the Barrio Logan/Harbor 101 Community Plan area, and is more particularly described as LOTS 21 and 22, BLOCK 17, REED AND HUBBELL'S ADDITION, MAP-327. (DISTRICT-4) (CUP-10-607-0)

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-05-07P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-81-)

Adoption of a RESOLUTION granting or denying the appeal and the permit with appropriate findings to support Council action.

COUNCIL ACTION: (Tape location: B140-278).

Subitem-A adopted as R-252610.

Subitem-B adopted as R-252611.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT (A) AND (B) GRANTING THE APPEAL

AND PERMIT. Second by Lowery. Passed by the following vote:

Mitchell-abstained. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-no

present.

Sep-2-1980 ITEM-331:

FILE: STRT P-13

DESCRIPTION:

(Continued from the Meeting of August 12, 1980 at Councilman Mitchell's request.) Two Resolutions relative to the STANDLEY PARK ASSESSMENT DISTRICT: (DISTRICT-1)

Subitem-A: (R-80-2268)

MAKING, FINDING AND OVERRULING PROTESTS AND OBJECTIONS, and ORDERING CERTAIN

CHANGES in the STANDLEY PARK ASSESSMENT DISTRICT proceedings as ordered pursuant to RESOLUTION R-252029.

Subitem-B: (R-80-2269)

Authorizing the execution of an AGREEMENT with Lykos and Goldhammer, Architects and Engineers, for the purpose of designing additional improvements at the Standley Park and Recreation Center, pursuant to the Improvement Act of 1913 Standley Park Assessment District.

COUNCIL ACTION: (Tape location: C113-D071).

Subitem-A adopted as R-252615.

Subitem-B referred to Public Facilities and Recreation Committee.

Hearing began 3:08 p.m. and halted 3:48 p.m.

Testimony by Noel Neudeck, Jean MacElroy, Earl Theiland and Alan Johansson.

Motion by Mitchell to adopt. Second by Gotch. Withdrawn.

MOTION BY MITCHELL TO CLOSE THE HEARING, ADOPT SUBITEM-A AND REFER SUBITEM-B

TO PUBLIC FACILITIES AND RECREATION COMMITTEE. Second by Gotch. Passed by the

following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-not present.

Sep-2-1980 ITEM-332:

FILE: ZONE

DESCRIPTION:

Proposal to amend Chapter X, Article 1 of the San Diego Municipal Code relative to the PROCEDURE FOR REAPPLICATION FOR ZONING COMMENCEMENT AND

PERMITS as follows: (a) AMENDING Division 2, Section 101.0205 - ZONING COMMENCEMENT; (b) AMENDING Division 5, Section 101.0511 - CONDITIONAL USE PERMITS; (c) AMENDING Division 9, Section 101.0901 - PLANNED RESIDENTIAL DEVELOPMENT PERMITS; (d) AMENDING Division 9, Section 101.0920 - PLANNED INDUSTRIAL DEVELOPMENT PERMITS; and (e) AMENDING Division 9, Section 101.0910 - PLANNED COMMERCIAL DEVELOPMENTS.

Subitem-A: (O-80-315 Rev.)

INTRODUCTION of an ORDINANCE amending Division 2, Section 101.0205 - ZONING COMMENCEMENT.

Subitem-B: (O-81-24)

INTRODUCTION of an ORDINANCE amending Division 5, Section 101.0511 - CONDITIONAL USE PERMITS.

Subitem-C: (O-81-21)

INTRODUCTION of an ORDINANCE amending Division 9, Section 101.0901 - PLANNED RESIDENTIAL DEVELOPMENT PERMITS.

Subitem-D: (O-81-23)

INTRODUCTION of an ORDINANCE amending Division 9, Section 101.0920 - PLANNED INDUSTRIAL DEVELOPMENT PERMITS.

Subitem-E: (O-81-22)

INTRODUCTION of an ORDINANCE amending Division 9, Section 101.0910 - PLANNED COMMERCIAL DEVELOPMENTS.

COMMITTEE ACTION:

Initiated by RULES COMMITTEE on 7/21/80. Recommendation to INTRODUCE the Ordinance. Districts 3, 4, 5 and Mayor voted yea. District 7 not present.

COUNCIL ACTION: (Tape location: D073-D107).

Subitem-A introduced, to be adopted September 15, 1980.

Subitem-B introduced, to be adopted September 15, 1980.

Subitem-C introduced, to be adopted September 15, 1980.

Subitem-D introduced, to be adopted September 15, 1980.

Subitem-E introduced, to be adopted September 15, 1980.

Hearing began 3:48 p.m. and halted 3:51 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING AND INTRODUCE. Second by Cleator.
Passed

by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea.

Mayor Wilson-not present.

Sep-2-1980 * ITEM-S400:

FILE: CONT Mel Williams, Inc

DESCRIPTION:

(R-81-351) AWARDING A CONTRACT to Mel Williamson, Inc., for REMOVAL OF ARCHITECTURAL BARRIERS RETROFIT OF BUILDINGS - PHASE II, Base Bid for the sum

of \$168,247; authorizing the EXPENDITURE of \$34,087 from CDBG FUND 18516 and the EXPENDITURE of \$2,130 from CAPITAL OUTLAY FUND 30245, CIP-58-007 CDBG OVERHEAD to supplement the funds authorized by Resolution No. R-251927, adopted on June 2, 1980.

COUNCIL ACTION: (Tape location: A105-143).

Adopted as R-252612.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Sep-2-1980 ITEM-S401:

FILE: MEET

DESCRIPTION:

(R-81-319) Confirming the APPOINTMENTS of ROBERT O. GRAY and THOMAS T. WILLIAMSON and the REAPPOINTMENTS of SYDNEY M. FRANKLIN, RICHARD B. HUNTINGTON

and JOHN N. MORTENSON by the Mayor to the BOARD OF APPEALS AND ADVISORS (BUILDINGS) for two-year terms expiring March 1, 1982.

COMMITTEE ACTION:

Initiated by RULES COMMITTEE on 8/25/80. Recommendation to ADOPT the Resolution. Districts 5, 7 and Mayor voted yea. Districts 3 and 4 not present.

COUNCIL ACTION: (Tape location: B126-137).

Adopted as R-252613.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Sep-2-1980 ITEM-UC-1:

FILE: MEET

DESCRIPTION:

(O-81-31) An Ordinance presented to the City Council with UNANIMOUS CONSENT: Amending Ordinance O-15298 (New Series) entitled "An Ordinance Adopting the Annual Budget for the fiscal Year 1980-81 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year," by transferring within the General Fund 100, Department 023, the sum of \$10,100 from Other Personnel Expense to Materials and Supplies.

COUNCIL ACTION: (Tape location: D108).

Introduced, to be adopted September 15, 1980.

MOTION BY GOTCH TO INTRODUCE. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-no

present.

Sep-2-1980 ITEM-ES-1:

FILE: MEET

DESCRIPTION:

(R-8-268) A Resolution presented to the City Council in EXECUTIVE SESSION: Authorizing the CITY MANAGER to pay the total sum of \$6,700 in settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Calistro C. Haynes; authorizing the CITY AUDITOR and COMPTROLLER to issue ONE CHECK in the amount of \$6,700 to Calistro C. Haynes in full settlement of all claims.

COUNCIL ACTION:

Adopted as Resolution R-252616.

Sep-2-1980 ITEM-ES-2:

FILE: MEET

DESCRIPTION:

(R-81-342) A Resolution presented to the City Council in EXECUTIVE SESSION: Authorizing the CITY MANAGER to pay the total sum of \$10,000 in settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Edna L. Cranson; authorizing the CITY AUDITOR and COMPTROLLER to issue ONE CHECK in the amount of \$10,000 to Edna L. Cranson and her attorney, John W. Netterblad, in full settlement of all claims.

COUNCIL ACTION:

Adopted as Resolution R-252617.

Sep-2-1980 ITEM-ES-3:

FILE: MEET

DESCRIPTION:

(R-81-404) A Resolution presented to the City Council in EXECUTIVE SESSION: Authorizing the CITY MANAGER to pay the total sum of \$14,000 in settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Emma Marie Theresa Polleta; authorizing the CITY AUDITOR and COMPTROLLER to issue ONE CHECK in the amount of \$14,000 to Emma Marie Theresa Polleta and her attorney, Dave Hilman, in full settlement of all claims.

COUNCIL ACTION:

Adopted as Resolution R-252618.

Sep-2-1980 ADJOURNMENT:

FILE: Minutes File

COUNCIL ACTION:

MOTION BY MITCHELL TO ADJOURN IN MEMORY OF M.H. GOLDEN. Second by Killea.

Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea.

Mayor Wilson-not present.

Sep-2-1980

ITEM-333:

FILE: MEET

DESCRIPTION:

(Continued from the Meetings of June 9, and 23, and July 14, 1980 for Task Force report.) Two Items relative to TAXICAB RATES OF FARE:

Subitem-A: (O-81-9)

Introduction of an Ordinance Amending Chapter VII, Article 5, Division 2 of the San Diego Municipal Code by AMENDING SECTION 75.0202 relating to RATES OF FARE FOR TAXICABS.

Subitem-B: (R-80-2221)

Rescinding RESOLUTION NO. R-224025, adopted July 16, 1979, setting a MAXIMUM TAXICAB RATE OF FARE for exclusive ride and for shared ride; declaring that NO NEW MAXIMUM TAXICAB RATE OF FARE for exclusive or shared rides will be established.

COMMITTEE ACTION:

Initiated by TRANSPORTATION AND LAND USE COMMITTEE (TLU) on 4/30/80.

Recommendation to INTRODUCE the Ordinance. Districts 2, 4, 5, and 6 voted yea. District 8 not present. Recommendation to ADOPT the Resolution.

Districts 2, 4, 5, 6 and 8 voted yea.

COUNCIL ACTION: (Tape location: C088-C112).

Subitem-A continued four weeks.

Subitem-B continued four weeks.

MOTION BY KILLEA TO CONTINUE FOUR WEEKS AT THE CITY MANAGER'S REQUEST. Second

by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-not present.

FILE: CONT A-00120

DESCRIPTION:

(R-81-252) INVITING BIDS for the CONSTRUCTION of ENERGY CONSERVATION IMPROVEMENTS - PHASE I on Specifications Document No. A-00120; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE not to exceed \$132,000 from CAPITAL OUTLAY FUND 30245, CIP-37-002 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

(DISTRICT-8)

COMMITTEE ACTION:

Initiated by PUBLIC FACILITIES AND RECREATION COMMITTEE (PFR) on 5/29/80.

Recommendation to ADOPT the Resolution. Districts 1, 6, 7 and 8 voted

yea. District 2 not present.

COUNCIL ACTION: (Tape location: A105-143).

Adopted as Resolution R-252590.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following

vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

FILE: MEET

DESCRIPTION:

(O-80-284 Rev.) (Continued from the Meeting of August 11, 1980 at Councilman Mitchell's request.) Amending Chapter IV, Article 4, Division 3, of the San Diego Municipal Code by AMENDING SECTION 44.0300; RETITLING and REENACTING SECTION 44.0305; amending Chapter IV, Article 1, Division 1, by REPEALING SECTION 41.01.11 and amending Chapter IV, Article 2, Division 7, by AMENDING SECTIONS 42.0701, 42.0702, 42.0703, 42.0704 and 42.0705, all relating to ANIMAL CONTROL AND REGULATION.

NOTE: See City Manager Report CMR-80-339.

COMMITTEE ACTION:

Initiated by PUBLIC SERVICES AND SAFETY COMMITTEE (PSS) on 7/16/80.

Recommendation to ADOPT the Resolution. Districts 1, 2, 6 and 8 voted

yea. District 3 not present.

COUNCIL ACTION: (Tape location: A143-356).

Introduced, to be adopted September 15, 1980.

Motion by Mitchell to adopt portion of Ordinance relating to wild animals.

Second by Killea. Passed by the following vote: Yeas-1, 2, 3, 4, 5, 6,
7, 8, M. Nays-None. Not present-None.

MOTION BY MITCHELL TO INTRODUCE THE REMAINING PORTION OF THE
ORDINANCE.

Second by Killea. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-nay.

Gotch-yea. Stirling-nay. Killea-yea. Mayor Wilson-yea.